

**Meeting of the
Board of Medical Assistance Services
600 East Broad Street, Suite 1300
Richmond, Virginia**

July 11, 2006

DRAFT Minutes

Present:

Terone B. Green
Monroe E. Harris, Jr., D.M.D.
Patsy Ann Hobson
Barbara H. Klear
Manikoth G. Kurup, M.D. (Chair)
David Sylvester
Michael Walker

Absent:

Rose C. Chu
Phyllis L. Cothran
Kay C. Horney
Robert D. Voogt, Ph.D.

DMAS Staff:

Tyris Blathers, Admin. Office Specialist III
Michael Jay, Director of Budget & Contract Management
Kim Piner, Legal Counsel
Nancy Malczewski, Board Liaison
Beth McDonald, Legal Counsel
Craig Markva, Manager, Office of Communications & Legislative Affairs

Speakers:

Patrick W. Finnerty, Director
Cynthia B. Jones, Chief Deputy Director
Scott Crawford, Deputy Director of Finance and Administration
Steve Ford, Director of Policy & Research

Guests:

Cherie B. Madison, VA Association for Home Care

Call to Order

Dr. Manikoth G. Kurup, Chairman of the Board, called the meeting to order at 10:06 a.m. after a quorum was met. Dr. Kurup announced: (1) an orientation meeting immediately following lunch today. Two members already agreed to attend, but all members were welcome to stay, (2) Ms. Kay Horney had back surgery and would miss meetings for the next six months, and (3) the next meeting of the Board will be September 12.

Approval of Minutes from April 11, 2006 Meeting

Dr. Kurup asked that the Board review and make a motion to approve the Minutes from the April 11, 2006, meeting. Ms. Barbara Klear motioned to accept the Minutes and Dr. Monroe Harris seconded. The vote was **6 yes (Green, Harris, Hobson, Klear, Kurup, and Sylvester)** **Walker had not yet arrived; 0-no.**

ETHICS/CONFLICT OF INTEREST TRAINING

Mr. Finnerty stated that the Conflict of Interest training was required by Board Members and management staff at all State agencies. He turned over the presentation to Ms. Kim Piner, Legal Counsel. Ms. Piner introduced Ms. Beth McDonald, who joined the Office of the Attorney General (OAG), to also represent the Department of Medical Assistance Services (DMAS).

Ms. Piner presented the OAG's training module on the Conflict of Interest Act and a portion of the Virginia Procurement Act. There were several questions from Board members and discussion regarding various aspects of the training. Some of the questions required further research; Ms. Piner indicated she would research these issues and get back to the Board with the requested information.

Ms. Piner asked the Members to sign the Course Certificate of Completion and hand them to Ms. Nancy Malczewski. Mr. Finnerty asked that the Members get a copy for their files which was done at the meeting.

BUDGET UPDATE

Mr. Scott Crawford, Deputy Director of Finance and Administration, gave an update of the 2006 Appropriations Act. He briefly explained the funding actions of the Governor and the General Assembly, and how that affected DMAS. He reviewed the Medicaid reimbursement increases approved for hospitals, nursing facilities, pediatric services, and other physician services. Mr. Finnerty said this was great news since reimbursement rates had not increased for physicians that much in the past.

Mr. Green requested that the Department confirm with each managed care organization (MCO) that it will be passing along the increase reimbursement to their physicians. (DMAS confirmed this with each MCO following the meeting.)

THE DEFICIT REDUCTION ACT OF 2005 (DRA): CITIZENSHIP AND IDENTITY REQUIREMENTS

Mr. Steve Ford gave a brief history of the Deficit Reduction Act of 2005 (DRA) that was mandated by the federal government. People that claimed to be United States citizens who apply for Medicaid have 45 days (or at the first re-determination have 30 days) to provide satisfactory documentary evidence of citizenship and identity. Providing this information is only necessary one time. He explained the various levels of documentation that were necessary to be used as proof and that the federal government will audit the records which, if in violation, would affect the Medicaid funding.

DMAS, the Department of Social Services (DSS), Virginia Department of Health (VDH), Department of Mental Health, Mental Retardation and Substance Abuse Services, and the Department of Motor Vehicles have held weekly conference calls since June 16 regarding the

new requirements. To assist Medicaid applicants and recipients in verifying citizenship, the local DSS offices should be able to electronically verify Virginia birth information with VDH Vital Records information.

DMAS will send out a letter about the new requirements to all current Medicaid recipients. DSS staff will examine existing case files to determine if information to verify citizenship or identity has already been provided. DSS is creating a fact sheet on how to obtain a birth certificate and other fact sheets are in the process. DMAS continues to seek clarification from the Centers for Medicare and Medicaid Services (CMS) regarding numerous questions. DMAS does not intend to disenroll any existing recipients unless all avenues for documentation have been exhausted and there is no effort on the part of the individual to acquire the documentation.

MEDICAID REVITALIZATION COMMITTEE

Dr. Kurup announced that Ms. Rose Chu would represent the BMAS on the Medicaid Revitalization Committee, but that all members were welcome to attend. The first meeting will be held Friday, July 14, 2006, 9:00 a.m.-12:00 p.m. at DMAS 7th Floor Conference Room. The Committee was mandated by the 2006 General Assembly and limited to 15 members. Mr. Finnerty passed out a sheet that listed the individuals and organizations who were invited to be members of the Committee. Mr. Green requested the names of each individual who will be on the Committee as he was concerned about who may be representing one of the organizations invited to participate. (A list of the Committee members is being forwarded to the Board members.)

INTEGRATION OF ACUTE AND LONG TERM CARE STAKEHOLDER GROUP

Dr. Kurup announced that Robert D. Voogt, Ph.D., and Mr. Michael Walker would be representing the BMAS on the Integration of Acute and Long Term Care Stakeholder Group, but that all members were welcome to attend. Ms. Cynthia B. Jones, Chief Deputy Director, noted that she and Cheryl Roberts will be leading this effort, and that it was less formal than the Medicaid Revitalization Committee.

BYLAWS

Mr. Finnerty explained the process of amending the Bylaws—to see it in writing first, and then at another meeting to vote on it. At the last meeting it was asked that, page 3, line 79, of the bylaws reference and attach, as an appendix, the most recent memorandum from the Office of the Attorney General (OAG) regarding the powers and duties of the Board. In accordance with the Bylaws, the Board will vote on the revised language at this meeting. Mr. Terone Green motioned to adopt the revised by-laws and Dr. Monroe Harris seconded. The vote was **7 yes (Green, Harris, Hobson, Klear, Kurup, Sylvester and Walker); 0-no.**

OLD BUSINESS

Regulatory Activity Summary

The Regulatory Activity Summary is included in the Members' books to review at their convenience.

New Business

Adjournment

Dr. Kurup thanked everyone and adjourned the meeting at 12:08 p.m.